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FACSIMILE TRANSMISSION SHEET

DATE : April 1, 2003
TIME : 10:55am
OPERATOR : Mandi M. Leighty

PLEASE DELIVER DIRECTLY TO EXAMINER

TO : Nicholas Lucchesi
Supervisory Patent Examiner
United States Patent and Trademark Office

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APR 1 2003

Group 3700

FACSIMILE NO: (703) 308-7957

FROM : David E. Hall

OUR FILE: NUY 301

YOUR REF : U.S. Patent Application Serial No. 09/712,305

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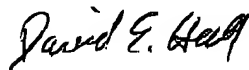
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Nicholas Lucchesi
Supervisory Patent Examiner
April 1, 2003
Our File - NUY 301
Page 2

I called Examiner Donnelly on March 25 to follow up and left him a voice mail asking that he please fax me a copy of the office action as soon as he could. I called again today and left Examiner Donnelly another voice mail with the same request. Additionally, I called customer service for group art unit 3700 and asked about the status of the application. I was told that a count for the application was issued on March 10, 2003, but that the office action had not yet been mailed.

I have contacted you in hopes that you will be able to locate the office action for this case and fax me a copy of the office action today to (503) 295-6679. We do not need copies of the references cited. My client is very anxious to move this license negotiation alone and cannot proceed until we have a copy of the office action. Thank you very much for your help.

Very truly,



David E. Hall
Reg. No. 51,172

DEH:mm1



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Nicholas Lucchesi
Supervisory Patent Examiner
United States Patent & Trademark Office
Group Art Unit 3764
Washington, D.C. 20231

RE: U.S. Patent Application Serial No. 09/712,305 of Hieu T. Nguyen
for an EXERCISE APPARATUS; Our File – NUY 301

Dear Mr. Lucchesi:

This letter is to follow up the phone message I left you earlier today. My firm represents Hieu Nguyen the inventor of the Exercise Apparatus described and claimed in U.S. Patent Application Serial No. 09/712,305, filed November 13, 2000.

As I mentioned in my phone message, my client is in license negotiations with a potential licensee for his invention. The negotiations have stalled because the licensee is not sure what the likely scope of any claims that may ultimately issue in a patent will be.

In an effort to try and get a better idea of the likely claim scope, I have had several telephone conversations with Examiner Donnelly, who is examining this application, over the course of the last three months. In my most recent conversation on March 18, 2003, Examiner Donnelly indicated that he had finished the first office action, that the application contained allowable subject matter, and that the office action was in typing. I asked if he could fax me a copy of the office action so that we could share this information with our potential licensee in hopes of moving the negotiations forward. Examiner Donnelly told me that the file should be back on his desk in a couple of days and that he would fax me a copy of the office action when he got the file back.